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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
TAKURO SEKIYA, ET AL. : EXAMINER: MENEFEE, J. A.  
SERIAL NO: 10/085,204 :  
FILED: FEBRUARY 26, 2002 : GROUP ART UNIT: 2828  
FOR: SURFACE-EMISSION LASER :  
DIODE OPERABLE IN THE :  
WAVELENGTH BAND OF 1.1- :  
1.7 $\mu$ m AND OPTICAL :  
TELECOMMUNICATION SYSTEM :  
USING SUCH A LASER DIODE :

RECEIVED  
SEP - 2 2003  
TECHNOLOGY CENTER 2800

**RESPONSE TO ELECTION REQUIREMENT AND  
SUPPLEMENTAL PRELIMINARY AMENDMENT**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Official Action mailed July 30, 2003, Applicants elect without traverse Claims 6-8 directed to Species I. Applicants make this election based on the understanding that Applicants are not prejudiced against filing one or more divisional applications that cover the non-elected claims.

Furthermore, prior to examination on the merits, please amend the above-identified patent application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.

**Remarks/Arguments** begin on page 36 of this paper.